

Agenda No.: 10
Public Hearing: Zoning Case Z08-0016
Owner(s): Trike Investors, L.P.

DESCRIPTION:

A request to rezone 22.3± acres on the southeast corner of John Hickman Parkway and the Dallas North Tollway **from** Commercial-1 **to** Planned Development-Retail/Office-2. Neighborhood #30. MW Tabled: 12/09/08, 01/27/09.

HISTORY:

Ordinance No. 84-02-01 – City Council adopted Ordinance No. 84-02-01 on February 7, 1984, which annexed the property and zoned it Commercial-1.

CASE OVERVIEW:

The applicant is requesting to rezone the property to allow for an office development. The surrounding land uses are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Vacant	Commercial-1	Mixed-Use Non-Residential
East	Vacant	Office-2	Mixed-Use Non-Residential
South	Vacant	Office-2	Mixed-Use Non-Residential
West	Vacant	Planned Development-30-Business Center	Mixed-Use Non-Residential

The 2006 Comprehensive Plan

Natural Resources – The Comprehensive Plan does not identify any floodplain/wetland or unsuitable soils or topography on the property. The Comprehensive Plan does identify an area of sensitive habitat in association with the stands of trees on the property. A general tree survey has been submitted with the zoning request that shows several large trees on the property; mostly Hackberry and American Elm. The applicant is working with staff to preserve as many of the protected trees as possible. A detailed tree survey and tree preservation plan will be required with the site plan/final plat submittal. Any required mitigation will occur at that time.

Future Land Use Plan – The Future Land Use Plan (FLUP) designates mixed-use non-residential uses on this property. While the request for office zoning does not comply with the FLUP, mixed-use developments require connectivity with other dense mixed-use developments as to not become isolated developments. The applicant and the

adjacent property owner had a design charette on December 18, 2007 to discuss the possibility of combining their tracts to create one cohesive mixed-use development. The adjacent property owner decided that keeping the Office-2 zoning they had was more suited to the type of development they were looking for. After the charette, the applicant for this property began discussions with staff on creating a restaurant, hotel, and office site in a walkable setting around a water feature.

Parks, Recreation & Open Space Master Plan – An off-street hike and bike trail is shown on the Hike & Bike Master Plan along Dallas Parkway. The applicant is proposing an eight-foot trail adjacent to Dallas Parkway.

Livability Strategy – The proposed development meets the goals of Livability Strategy 6 – “Create Attractive Streets with Views & Walkability”, Livability Strategy 7 – “Design Streets So That Desired Speed Will Be Achieved”, and Livability Strategy 15 – “Ensure That Retail Areas are Pedestrian Friendly”. The proposed collector (labeled as Street A on the zoning exhibit) is being designed as a 25 mile-per-hour roadway that will provide access throughout the development. To encourage a pedestrian-friendly development, the collector will contain a speed table (a raised portion of decorative pavement similar to Frisco Square Blvd. in front of City Hall) with pedestrian crossings from the hotel site on the south to the restaurant sites on the north.

Transportation Strategy

- **The Thoroughfare Plan** – The Thoroughfare Plan shows the Dallas North Tollway, a Highway/Tollway adjacent to the site. John Hickman Parkway will ultimately be constructed as a four lane divided minor thoroughfare on the north side of the property.
- **Traffic Impact Analysis** – Based on the current zoning and the requested zoning, staff determined that a Traffic Impact Analysis (TIA) was not required as this request will not drastically increase traffic.
- **Access** – Access to the development will be provided primarily from Dallas Parkway and John Hickman Parkway. Secondary access will be provided via John Hickman Parkway over to Parkwood Drive to the east. Cross access is provided to adjacent properties for future extensions.

Existing Utilities

- **Water** – There is a 12-inch waterline along Dallas Parkway. Service will need to be extended into the site at the time of development.
- **Sanitary Sewer** – A 12-inch sanitary sewer stub-out was constructed along John Hickman Parkway as part of the Dallas North Tollway construction. Off-site easements will need to be secured to extend service into the site at the time of development.

Schools – This property lies within the Frisco Independent School District. Frisco Independent School District has not indicated an immediate need for a school in this area.

Additional information

Maximum Number of Pad Sites – The Zoning Ordinance specifies a maximum number of pad sites (sites containing buildings less than 6,000 square feet) to one per five acres or portion thereof. Based on the net acreage of this site (17.9+ acres), the maximum number of pad sites would be limited to three. While it has not been determined the exact size of the restaurants proposed, the applicant would like the flexibility to have smaller restaurants as shown on Exhibit “D”. Staff recommends that this restriction be removed for this property based on the following:

- The intent of the pad site restrictions in the Zoning Ordinance was to limit the number of pad sites along a roadway in front of a retail center that reduce visibility to the anchor tenant(s).
- This development will have frontage on three public roadways – Dallas Parkway, John Hickman Parkway, and Street A – providing visibility to all of the individual properties.
- The applicant has created a walkable development with restaurant uses surrounding a water feature amenity.

Limiting Number of Drive-Thru Restaurants – Under Retail and Office-2 zoning, restaurants with drive-thru lanes are permitted by right. Staff and the applicant agreed to limit the number of drive-thru restaurants based on the following:

- The intent of the applicant is to create a walkable environment built around the water feature. Allowing drive-thru restaurants in this environment would decrease the pedestrian-friendly nature of this development.
- Limit the drive-thru restaurant to a pad site along Dallas Parkway where an auto-oriented use is more appropriate.

SUMMARY:

The applicant is requesting to rezone the property to Planned Development-Retail/Office-2. Staff supports this request as it creates a walkable environment while creating a focal point to the site with the restaurants oriented towards a water feature.

RECOMMENDATION:

Recommended for approval as Planned Development-Retail/Office-2 subject to the following development standards:

EXHIBIT “C”
PLANNED DEVELOPMENT STANDARDS

The property shall develop under the provisions of the Retail (R) and Office-2 (O-2) District standards as outlined in the Comprehensive Zoning Ordinance No. 00-11-01, as it exists or may be amended, subject to the following conditions:

1. Up to seven (7) pad sites will be allowed in the Planned Development. Pad sites are defined as sites with buildings less than 6,000 square-feet.
2. One restaurant with drive-thru shall be permitted within the Planned Development at a location with frontage on Dallas Parkway, south of Street A.
3. Setbacks shall follow the requirements set forth in the Retail (R) Zoning District. Sites with buildings greater than two-stories shall follow the setback requirements set forth in the Office-2 (O-2) Zoning District.
4. A speed table with decorative pavement shall be constructed along Street A as shown on Exhibit "D".
5. Street A shall be designed with a 25-mile per hour speed limit criteria and a 31-foot cross section (back of curb to back of curb).
6. The zoning exhibit attached and incorporated into this Exhibit "D" shall serve as a guide for the development of the Property. Any changes to the layout of the development shall be approved by the Director of Planning & Development Services. The applicant may appeal, in writing, the Director's decision to the Planning & Zoning Commission within ten (10) days of the date of the Director's decision.